

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Terri L. Ayers**  
Debtor(s)

Bankruptcy Case No.: 17-22100-GLT  
Issued Per 3/21/2019 Proceeding  
Chapter: 13  
Docket No.: 78 – 60, 66  
Concil. Conf.: March 21, 2019 at 10:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 25, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 21, 2019 at 10:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 7 of IRS and Claim No. 2 of PA Revenue .
- ☒ H. Additional Terms: The Trustee's Certificate of Default to Dismiss [Dkt. No. 60] is Dismissed as being Withdrawn.

A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

Attorney fees to be based on a retainer of \$600.00 with remaining fees of \$3,400.00

Claim No. 3 of Wells Fargo governs following all payment changes.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

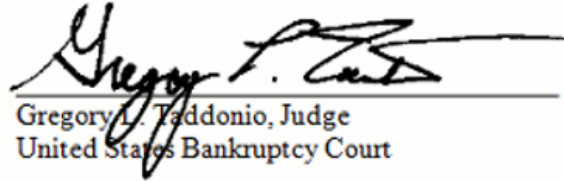
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: March 25, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 5 of 6**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Terri L. Ayers  
 Debtor

Case No. 17-22100-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

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 Total Noticed: 38

Date Rcvd: Mar 25, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 27, 2019.

db +Terri L. Ayers, 6259 Leechburg Road, Verona, PA 15147-3511  
 cr +JPMorgan Chase Bank, National Association, 3415 Vision Drive, Columbus, OH 43219-6009  
 cr +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,  
 UNITED STATES 15219-6101  
 14520909 +Account Recovery Services, Inc., PO Box 7648, Goodyear, AZ 85338-0645  
 14707841 Citibank, N.A., c/o Quantum3 Group LLC, PO Box 280, Kirkland, WA 98083-0280  
 14707470 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,  
 Kirkland, WA 98083-0657  
 14520910 Department of Education, MOHELA, PO Box 105347, Atlanta, GA 30348-5347  
 14520911 Ditronics Financial Services, c/o Account Recovery Service, Inc., PO Box 7648,  
 Goodyear, AZ 85338-0645  
 14520913 Goodyear Credit Plan, PO Box 9001006, Louisville, KY 40290-1006  
 14520915 #JPMorgan Chase Bank N.A., PO Box 100564, Florence, SC 29502-0564  
 14698131 JPMorgan Chase Bank, N.A., Chase Records Center,, ATTN: Correspondence Mail,,  
 Mail Code LA4-5555, 700 Kansas Lane,, Monroe, LA 71203  
 14520916 Macy's, PO Box 9001094, Louisville, KY 40290-1094  
 14520917 Macy's American Express, PO Box 9001108, Louisville, KY 40290-1108  
 14520920 +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747  
 14520921 PNC Bank, PO Box 856177, Louisville, KY 40285-6177  
 14690817 +PNC Bank, N.A., PO BOX 94982, Cleveland, OH 44101-4982  
 14661862 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,  
 Pittsburgh, PA 15233-1828  
 14660975 +Pittsburgh Water & Sewer Authority, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,  
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101  
 14520922 Sears Credit Cards, PO Box 9001055, Louisville, KY 40290-1055  
 14520923 Specialized Loan Servicing LLC, P.O. Box 105219, Atlanta, GA 30348-5219  
 14520925 UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472  
 14631604 +US Dept of Education/MOHELA, 633 Spirit Dr, Chesterfield MO 63005-1243  
 14641293 Wells Fargo Bank, N.A., Default Document Processing, N9286-01Y, 1000 Blue Gentian Road,  
 Eagan MN 55121-7700  
 14520927 +Wells Fargo Home Mortgage, P.O. Box 11701, Newark, NJ 07101-4701  
 14644184 +Wilmington Savings Fund Society, FSB Trustee(See410, c/o Specialized Loan Servicing LLC,  
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 26 2019 02:54:21  
 PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067  
 14711039 +E-mail/Text: kborkley@bernsteinlaw.com Mar 26 2019 02:53:41 Duquesne Light Company,  
 c/o Allison L. Carr,, Bernstein-Borkley, P.C.,, 707 Grant St., Suite 2200, Gulf Tower,,  
 Pittsburgh, PA 15219-1945  
 14520912 +E-mail/Text: kborkley@bernsteinlaw.com Mar 26 2019 02:53:41 Duquesne Light Company,  
 411 Seventh Avenue, Pittsburgh, PA 15219-1942  
 14520914 E-mail/Text: cio.bncmail@irs.gov Mar 26 2019 02:52:47 Internal Revenue Service,  
 PO Box 7346, Philadelphia, PA 19101-7346  
 14648317 E-mail/PDF: cbp@onemainfinancial.com Mar 26 2019 02:54:16 ONEMAIN, P.O. BOX 3251,  
 EVANSVILLE, IN 47731-3251  
 14520918 E-mail/PDF: cbp@onemainfinancial.com Mar 26 2019 02:54:37 OneMain Financial,  
 PO Box 742536, Cincinnati, OH 45274-2536  
 14520919 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Mar 26 2019 02:53:00 PA Department of Revenue,  
 Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946  
 14772795 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 26 2019 02:54:05  
 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541  
 14522538 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 26 2019 03:05:17  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14640657 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Mar 26 2019 02:53:01  
 Pennsylvania Department of Revenue, Bankruptcy division, P O Box 280946,  
 Harrisburg P A 17128-0946  
 14520924 E-mail/PDF: gecsed@recoverycorp.com Mar 26 2019 02:54:35 Synchrony Bank / JCP,  
 PO Box 960090, Orlando, FL 32896-0090  
 14670645 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Mar 26 2019 02:54:09 Verizon,  
 by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838  
 14520926 E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Mar 26 2019 02:52:33  
 Verizon, PO Box 15124, Albany, NY 12212-5124

TOTAL: 13

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Duquesne Light Company  
 cr WELLS FARGO BANK, N.A.  
 cr Wilmington Savings Fund Society, FSB, DBA Christia

District/off: 0315-2

User: dbas  
Form ID: 149

Page 2 of 2  
Total Noticed: 38

Date Rcvd: Mar 25, 2019

cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
cr\* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,  
Pittsburgh, PA 15233-1828

TOTALS: 3, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 27, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 25, 2019 at the address(es) listed below:

Amanda Rauer on behalf of Creditor WELLS FARGO BANK, N.A. amanda.rauer@pkallc.com,  
chris.amann@pkallc.com/nick.bracey@pkallc.com/Samantha.gonzalez@pkallc.com;jill@pkallc.com;mary.r  
aynor-paul@pkallc.com/harry.reese@pkallc.com  
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, DBA Christiana  
Trust, not in its individual capacity, but solely in its capacity as Owner Trustee for WF 19  
Grantor Trust bkgroup@kmlawgroup.com  
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jill Manuel-Coughlin on behalf of Creditor WELLS FARGO BANK, N.A. jill@pkallc.com,  
chris.amann@pkallc.com/nick.bracey@pkallc.com/samantha.gonzalez@pkallc.com/harry.reese@pkallc.com  
/mary.raynor-paul@pkallc.com/amanda.rauer@pkallc.com  
Kenneth M. Steinberg on behalf of Debtor Terri L. Ayers julie.steidl@steidl-steinberg.com,  
kenny.steinberg@steidl-steinberg.com/cgoga@steidl-steinberg.com/jbarlow@steidl-steinberg.com/lesl  
ie.nebel@steidl-steinberg.com/r53037@notify.bestcase.com/rlager@steidl-steinberg.com/kmeyers@stei  
dl-steinberg.com  
Kevin Scott Frankel on behalf of Creditor JPMorgan Chase Bank, National Association  
pabk@logs.com  
Kristen D. Little on behalf of Creditor JPMorgan Chase Bank, National Association  
pabk@logs.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com/acarr@bernsteinlaw.com  
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com/srk@sjwpgh.com

TOTAL: 11